

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	CHAPTER 7
)	
BETHANN ROBINSON,)	CASE NO. 12-60863-JRS
)	
DEBTOR.)	

MOTION TO REOPEN

COMES NOW Nancy J. Gargula, United States Trustee for Region 21, and, pursuant to Bankruptcy Code section 350(b) and Federal Rule of Bankruptcy Procedure 5010, moves the Court to reopen this case. In support of this motion, the United States Trustee shows as follows.

1.

Bethann Robinson commenced this case on April 27, 2012, by filing a petition for relief under chapter 13.

2.

On March 5, 2014, Ms. Robinson's case was converted from chapter 13 to chapter 7.

3.

Neil C. Gordon was appointed and served as chapter 7 trustee.

4.

On March 5, 2014, Mr. Gordon held and concluded the section 341 meeting.

5.

On April 22, 2016, Mr. Gordon filed a *Motion to Reserve Asset upon Closing of*

the Case, in order to reserve the rights to a one forth (1/4) future interest in 1111 Ludwick Way, Lawrenceville, Gwinnett County, Georgia, 30046 (“Real Property”).

6.

On February 3, 2017 the Court issued a Consent Order approving Mr. Gordon’s motion, which authorized that the Real Property shall not be abandoned when Ms. Robinson’s case closes and shall remain property of Ms. Robinson’s Estate.

7.

On April 19, 2017, Mr. Gordon filed a report of no distribution based on the information known to him at that time.

8.

On August 2, 2017, the Court granted a discharge to the debtor and closed the case.

9.

Mr. Gordon recently notified the United States Trustee that Ms. Robinson and her siblings have inherited and plan to sell the Real Property.

10.

Bankruptcy Code section 350 authorizes the Court to reopen a case to administer assets, to accord relief to the debtor, or for other cause.

11.

It appears the Real Property would be property of the estate and that administration of the asset might result in a meaningful distribution to unsecured creditors.

12.

Federal Rule of Bankruptcy Procedure 5010 provides that a case may be reopened on motion of the debtor or other party in interest. The United States Trustee is a party in interest and has standing to raise, appear, and be heard on any issue in any case. 11 U.S.C. § 307.

13.

The United States Trustee requests the Court reopen the case and direct the United State Trustee to appoint a trustee who can investigate and, if appropriate, administer assets that are property of the estate.

14.

Pursuant to the Bankruptcy Court Miscellaneous Fee Schedule, effective September 1, 2018, the United States Trustee should not be charged with the fee for reopening this case.

WHEREFORE, the United States Trustee moves the Court reopen this case and direct the United States Trustee to appoint a chapter 7 trustee.

DATED: March 1, 2021 NANCY J. GARGULA
UNITED STATES TRUSTEE, REGION 21
/s/ Shawna Staton
Shawna Staton
Georgia Bar No. 640220
United States Department of Justice
Office of the United States Trustee
Suite 362, Richard B. Russell Building
75 Ted Turner Drive, S.W.
Atlanta, Georgia 30303
Phone: 404-331-4437
Email: *Shawna.P.Staton@usdoj.gov*

CERTIFICATE OF SERVICE
NEF service pursuant to General Order 25-2018

This is to certify that on March 1, 2021, I have electronically filed the foregoing *Motion to Reopen* using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

Patti H. Bass on behalf of Creditor Capital One, N.A.
ecf@bass-associates.com

Curtis Lee Chronister, Jr. on behalf of Debtor BethAnn Robinson
curtis@chronisterlawfirm.net, info@chronisterlawfirm.net

Adam M. Goodman on behalf of Trustee Adam M. Goodman
cdsummary@13trusteeatlanta.com;cdbackup@13trusteeatlanta.com

Neil C. Gordon
angela.ford@agg.com, carol.stewart@agg.com;ecf.alert+Gordon@titlexi.com

Neil C. Gordon on behalf of Trustee Neil C. Gordon
angela.ford@agg.com, carol.stewart@agg.com

Neil C. Gordon on behalf of Trustee Neil C. Gordon
angela.ford@agg.com, carol.stewart@agg.com;ecf.alert+Gordon@titlexi.com

Richard B. Maner on behalf of Creditor USAA Federal Savings Bank
rmaner@rbmlegal.com

Philip L. Rubin on behalf of Creditor USAA Federal Savings Bank
prubin@lrglaw.com

Daniel R. Saeger on behalf of Debtor BethAnn Robinson
thegeorgialawfirm@gmail.com;dan@whitfieldcounty.com

This is to further certify that on this date I caused the foregoing *Motion to Reopen* to be served upon the parties listed below by causing a copy of the same to be mailed to the following through the United States Mail bearing sufficient postage thereon:

Bethann Robinson
508 Bradford Town Court
Loganville, GA 30052

Rob Rickman
Rickman & Associates, PC
1755 North Brown Road, Suite 200
Lawrenceville, Georgia 30043

Date: March 1, 2021.

/s/ Shawna Staton